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October 17, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ Application of C. Icard-Liepkalns, J. Mallet,
and P. Ravassard
Application No. 09/595,947
Filed June 16, 2000

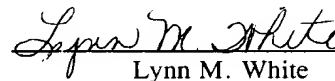
Examiner: C-M. Kam
Art Unit: 1653
Confirmation No.: 2918

Polypeptides of the "Basic-Loop-Helix" bHLH
Family, Corresponding Nucleic Acid Sequences

Attorney Docket No. P26,952 USA

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope, postage prepaid, addressed to Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 17, 2003.


Lynn M. White

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Statement under 37 C.F.R. §§1.821(f), 1.821(g), and
1.825(a) Regarding Subsequent Sequence Listing Submissions**

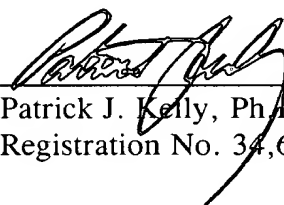
Sir:

STATEMENT

In accordance with 37 C.F.R. §§1.821(f), 1.821(g), and 1.825(a) relating to submissions containing Sequence Listings after the time of filing of the application, the undersigned hereby certifies that:

- (A) the Sequence Listing information recorded in computer readable form is identical to the written Sequence Listing, pursuant to 37 C.F.R. §1.821(f); and
- (B) the present submission contains no new matter, pursuant to 37 C.F.R. §1.821(g).

Respectfully submitted,



Patrick J. Kelly, Ph.D.
Registration No. 34,638

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COPY**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Figs. 1, 2 and 4 have nucleotide and amino acid sequences, however, the sequence listing does not include these sequences.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216 or (703) 308-2923
- For CRF Submission Help, call (703) 308-4212
- For PatentIn software Program Support:
 - HELP DESK: (703) 739-8559, ext 508, M-F, 8 AM to 5 PM EST except holidays
 - Email: PATIN21HELP@uspto.gov
 - To purchase PatentIn software: (703) 306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

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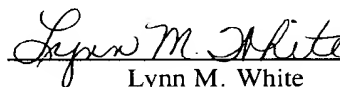
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Lynn M. White

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Reply to Notice to Comply with Requirements
for Patent Applications Containing Nucleotide Sequence
and/or Amino Acid Sequence Disclosures dated April 17, 2003**

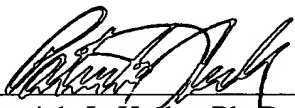
Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated April 17, 2003 (hereafter "the Notice"), enclosed herewith are the following:

- (A) A preliminary amendment incorporating a properly formatted Sequence Listing into the specification of the above-identified application;
- (B) one diskette containing the Sequence Listing in computer-readable form;
- (C) the required statement concerning submissions of Sequence Listings subsequent to filing of the application, pursuant to 37 C.F.R. §§1.821(f), 1.821(g), and 1.825(a);
- (D) a copy of the Notice;
- (E) a petition for a five-month extension of time under 37 C.F.R. §§1.136(a); and
- (F) a check for \$2,010.00 in payment of the extension fee.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 19-5425. A duplicate of this paper is enclosed for charging purposes.

Respectfully submitted,



Patrick J. Kelly, Ph.D.
Registration No. 34,638

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